

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 02 KUWAIT 000257

SIPDIS

FOR DRL AND NEA/ARPI-BERNS

E.O. 12958: N/A

TAGS: [KDEM](#) [ELAB](#) [PGOV](#) [PREL](#) [ECON](#) [KU](#) [HURI](#)

SUBJECT: KUWAIT'S 2004 SUPPORTING HUMAN RIGHTS AND DEMOCRACY REPORT

REF: 04 STATE 267453

1. Per reftel, following is Kuwait's submission for the 2004 report on supporting human rights and democracy. The Embassy point of contact is Richard Michaels.

2. Begin text: Kuwait is a constitutional, hereditary emirate. The Constitution provides for an elected National Assembly; however, it permits the Amir to suspend its provisions by decree. Elections are generally considered free and fair despite some credible reports of government and opposition vote buying. Although the Government,s respect for human rights has improved during the last decade, noteworthy problems remain. Citizens do not have the right to change their government. Women, who comprise slightly more than half the citizen population, do not have the right to vote or seek election to the National Assembly. In late 2003, however, the Government reintroduced legislation that would extend voting rights to women. The National Assembly is still considering the matter. Judicial authorities remain subject to government influence and discriminate against non-citizens, especially foreign laborers. The Government places some limits on freedoms of speech, assembly, association, religion and movement. Some police and members of the security forces reportedly have abused detainees during interrogation. Violence and discrimination against women, especially non-citizens, persist.

3. As the State Department reported in the 2004 Trafficking in Persons Report, the Government did not fully comply with the report,s minimum standards for the elimination of trafficking although it was making significant efforts to do so. Some underage foreign boys were used as jockeys in camel races. The Government restricted worker rights to organize and bargain collectively and form unions. Some domestic servants and unskilled foreign laborers faced abuse and worked under conditions that constituted indentured servitude. Unskilled foreign workers suffered from the lack of a minimum wage in the private sector and weak government enforcement of some Labor Law provisions. As of January 2005, a new draft Labor Law remained under parliamentary review.

4. The U.S. human rights and democracy strategy for Kuwait targets a wide range of critical issues including: strengthening Kuwait,s democratic and civil society institutions specifically supporting the formation of full-fledged political parties, empowering women by advocating their efforts to secure the right to vote and hold public office, combating trafficking in persons, and improving the working conditions of domestic servants and foreign laborers. The Embassy employs various programming tools available to the Public Affairs Section and funding through the U.S.-Middle East Partnership Initiative (MEPI) to strengthen democracy and respect for human rights in Kuwait. U.S. diplomatic, programming and advocacy efforts resulted in some positive changes to Kuwait,s overall human rights situation during the year. The Embassy actively engaged government officials, parliamentarians, non-governmental organizations (NGOs), and other civil society groups at all levels to advance dialogue and debate on key human rights concerns, particularly female suffrage and equal protection under the law for foreign laborers. The high number of Congressional and cabinet-level delegations transiting Kuwait en route to Iraq in 2004 and 2005 and occasional bilateral meetings also strengthened the ability to sustain this dialogue. In addition to the regular bilateral dialogue the Embassy maintained with government officials, Embassy officials frequently attended the influential evening meetings (diwanis) that private Kuwaitis host in their homes to discuss current events and promote awareness and understanding of U.S. human rights and democratic values.

5. Parliamentary institutional and capacity building is a key component of the Embassy,s strategy to strengthen democracy and the rule of law in Kuwait. The Embassy is working with the Parliament to encourage broader understanding of U.S. human rights and democratic values. To further the promotion of the rule of law, a Kuwaiti participated in the Administration of Courts8 seminar in the U.S. in September 2004, which introduced him to the functioning of the U.S. judicial system. The Ambassador reinforced the importance of democratic values during an election day speech in November 2004 that received wide media coverage in which he said that

America,s history with the electoral process showed that American democracy was strengthened through greater inclusion. Kuwait is also being considered as the host of a MEPI-funded program to provide technical assistance to parliamentarians and their staff.

16. The Embassy continues its longstanding efforts to strengthen Kuwait,s media and to promote more responsible journalism. The Public Affairs Section sent a Kuwaiti representative on an International Visitor program in March 2004 to attend the &Role of the Media8 conference in the U.S. to bolster his understanding of the media,s responsibilities in covering politics. Public Affairs also worked with Kuwait University to establish a permanent American Corner in January 2005 to serve as the University's American Studies Unit, providing access to books, the internet, and journals on America to Kuwaitis.

17. The Embassy actively encourages positive debate about the role and status of women in Kuwaiti society and the impact of women,s disenfranchisement on their basic rights and protections. The Embassy also assists women,s rights activists to develop effective advocacy and political action strategies. As a part of these efforts, the Embassy hosted former Lieutenant Governor of South Dakota, Carole Hillard, to speak to a group of female journalists and activists in July 2004 regarding the role of women in Kuwait and their political and social rights. Through another International Visitor program, the Embassy sent a Kuwaiti, a female defense attorney, to attend a conference promoting the rule of law and judicial reform in the U.S. in January 2005.

18. Women,s rights activists believe apathy and disinterest among many Kuwaiti women are key factors inhibiting a more vibrant suffrage movement. Activists hope to highlight ways in which women are economically and legally disadvantaged as a result of their disenfranchisement in order to galvanize broader societal support for political reform. The Embassy supported these grassroots civil society efforts through various programs and exchanges during the year. The Kuwait Economic Society, led by a female Kuwaiti PhD, received a MEPI small grant to fund a study on gender budgeting, which will examine patterns of government spending aimed at female-led businesses or earmarked for hiring female employees. Another MEPI-funded program began in January 2005, which will allow the National Democratic Institute to explore the possibility of working with politically active Kuwaiti women to teach them how to campaign within the political system once they gain the right to pursue elected office.

19. The United States raises religious freedom issues with the Government as part of its overall policy of promoting human rights. The Embassy actively encourages the Government to address the concerns of non-Muslim religious leaders, such as overcrowding, lack of worship space and inadequate staffing. Embassy officials meet regularly with recognized Sunni, Shi,a, and Christian groups and representatives of various unrecognized faiths to hear their concerns and monitor progress on religious freedom issues.

10. The Embassy also focuses on labor rights and working conditions for foreign workers and encourages the Government to reform its outdated Labor Law to conform more closely to internationally recognized labor standards. The Embassy meets regularly with government officials at all levels to promote awareness of labor problems and urge improvements in the status and treatment of foreign workers, particularly domestic servants. In January 2004, embassy officials attended the first-ever public seminar held in Kuwait hosted by a local NGO to address the treatment of foreign workers, particularly domestic servants. The seminar brought together for the first time members of the Government, parliament, labor unions and NGOs to discuss these labor concerns. In the same month, the Embassy organized a roundtable discussion on domestic worker rights with embassy labor officials from major source countries. The event encouraged source country embassy labor officials to meet more regularly, share experiences and present their labor concerns to the Government. The Embassy maintained a close working relationship with NGOs and domestic and international labor groups, especially the International Labor Organization, to monitor labor conditions and investigate incidents of abuse.

11. The Embassy and senior State Department officials urge the Government to strengthen legal and regulatory measures to combat human trafficking. Part of the strategy included sending three Kuwaiti officials on International Visitor programs related to combating international crimes, including human trafficking, in May and June 2004, and January 2005.

12. End draft.

Visit Embassy Kuwait's Classified Website:
<http://www.state.sgov.gov/p/nea/kuwait/>

You can also access this site through the
State Department's Classified SIPRNET website

LEBARON